

**REMARKS**

Applicants thank the Examiner for the courtesies extended to Applicants' representative at the interview on October 5, 2006. During the interview, the rejections contained in the Office Action mailed on August 30, 2006, were discussed.

In the Office Action,<sup>1</sup> the Examiner rejected claims 1-29 under 35 U.S.C. § 101; rejected claims 1-29 under 35 U.S.C. § 112, second paragraph; rejected claims 1-8 and 14-21 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,993,505 to Katz et al. ("Katz"); and rejected claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Katz.

In this response, Applicants have amended independent claims 1, 10, 14, 19-22, and 26. Thus, claims 1-29 remain pending and under current examination. In addition, Applicants respectfully traverse the outstanding rejections for the following reasons.

**I. Rejection of Claims 1-29 Under 35 U.S.C. § 101**

In the Office Action, the Examiner rejected claims 1-29 under 35 U.S.C. § 101 as being allegedly directed to non-statutory subject matter. The Examiner alleged that the claimed invention is not useful "because it is not specific about the result it produces (i.e. outputs)" (Office Action at 5.) Applicants respectfully traverse the Examiner's rejection because the claims are directed to statutory subject matter and fully comply with the requirements of § 101. Nevertheless, to expedite prosecution of this application and as agreed with the Examiner during the interview, Applicants hereby

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of what the Examiner considers to be prior art and Applicants' claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

amend independent claims 1, 10, 14, 19-22, and 26 to obviate this rejection.

Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-29 under 35 U.S.C. § 101.

**II. Rejection of Claims 1-29 Under 35 U.S.C. § 112**

In the Office Action, the Examiner rejected claims 1-29 under 35 U.S.C. § 112, second paragraph as being indefinite. Applicants respectfully traverse the Examiner's rejection because the claims are not indefinite and fully comply with the requirements of § 112, second paragraph. Nevertheless, to expedite prosecution of this application and as agreed with the Examiner during the interview, Applicants hereby amend independent claims 1, 10, 14, 19-22, and 26 to obviate this rejection. Accordingly, Applicants respectfully request that the Examiner withdraw the rejection of claims 1-29 under 35 U.S.C. § 112, second paragraph.

**II. Rejection of Claims 1-8 and 14-21 Under 35 U.S.C. § 102(e)**

Applicants respectfully traverse the rejection of claims 1-8 and 14-21 under 35 U.S.C. § 102(e) as being anticipated by Katz. In order for Katz to anticipate Applicants' claimed invention under 35 U.S.C. § 102, each and every element of each of the claims at issue must be found, either expressly described or under principles of inherency, in that single reference. Furthermore, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." See M.P.E.P. § 2131 (quoting Richardson v. Suzuki Motor Co., 868 F.2d 1126, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989)). Katz does not disclose each and every element of Applicants' claimed invention.

Claim 1 is directed to a method for processing loan information using a financial system and recites a combination of features including receiving loan information from one or more source systems; storing the loan information in one or more staging tables; evaluating the loan information stored in the one or more staging tables; identifying, based on the evaluation and one or more predetermined conditions, one or more satisfied triggers; identifying one or more rules based on the satisfied triggers; retrieving the stored loan information from at least one of the one or more staging tables to form retrieved information; transforming the retrieved information into processed loan information based on at least one of the one or more rules; and outputting the processed loan information. Katz does not disclose at least this combination of features.

For example, Katz does not disclose at least identifying, based on the evaluation and one or more predetermined conditions, one or more satisfied triggers, as recited in claim 1. The Examiner alleges that Katz's "new bookings" constitute the claimed "triggers" (Office Action at 7) and based on the Interview, the Examiner alleges that Katz's CRA and HMDA regulations constitute the claimed "predetermined conditions." Even assuming that the Examiner is correct, Katz does not identify new bookings (alleged triggers) based on the CRA and HMDA regulations (alleged predetermined conditions), as required by claim 1. Rather, Katz "automatically extracts . . . data on new loans" and then analyzes this data. (Katz, col. 7, lines 33-34.) During the analysis, "reports relevant to the CRA and HMDA are displayed to users to indicate the financial institution's performance relevant to these statutes." (Katz, col. 7, lines 56-58.)

Accordingly, Katz does not teach or suggest “identifying, based on the evaluation and one or more predetermined conditions, one or more satisfied triggers,” as recited in claim 1 (emphasis added). Katz therefore cannot anticipate claim 1 and the rejection of this claim under § 102(e) should be withdrawn.

Independent claims 14 and 19-21, although of different scope, recite features similar to those of claim 1, and thus, are also allowable at least for the reasons stated above with respect to claim 1. Claims 2-8 and 5-18 depend from claims 1 or 14, respectively, and are also allowable at least because of their dependency on claims 1 or 14, which are allowable for the reasons set forth above. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of claims 1-8 and 14-21 under 35 U.S.C. § 102(e) as being anticipated by Katz.

### **III. Rejection of Claim 9 Under 35 U.S.C. § 103(a)**

Applicants respectfully traverse the rejection of claim 9 under § 103(a) as being unpatentable over Katz. To establish a prima facie case of obviousness, three basic criteria must be met. First, the prior art reference (or references when combined) must teach or suggest all the claim elements. Second, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify a reference or to combine reference teachings. Finally, there must be a reasonable expectation of success. See M.P.E.P. § 2143. Applicants respectfully submit that a prima facie case of obviousness has not been established with respect to claim 9.

Claim 9 depends from independent claim 1 and therefore includes all of the features recited therein. As discussed above, Katz fails to teach or suggest at least “identifying, based on the evaluation and one or more predetermined conditions, one or more satisfied triggers,” as recited in claim 1. And, the Examiner’s Official Notice that financial events “are old and well known” fails to cure these deficiencies. Office Action at 8-9.

Because neither Katz nor the Examiner’s Official Notice, taken individually or in combination, teaches or suggests each and every element required by dependent claim 9, a prima facie case of obviousness has not been established with respect to this claim. Applicants therefore respectfully request that the Examiner reconsider and withdraw the rejection of claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Katz.

#### **IV. Conclusion**

In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration and reexamination of this application and the timely allowance of the pending claims.

Should the Examiner continue to dispute the patentability of the claims after consideration of this Reply, Applicants request that the Examiner contact Applicants’ undersigned representative by telephone to discuss any remaining issues or to resolve any misunderstandings.

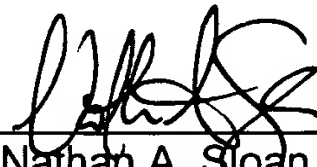
Please grant any extensions of time required to enter this response and charge  
any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: November 20, 2006

By: \_\_\_\_\_

  
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